Amendments to the Drawings:

The attached sheets of drawings includes changes to Figures 1 and 2. Replacement Figures 1 and 2 include descriptive text labels..

Attachment: Replacement Sheet

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-6 and 8-10 are now pending, wherein claims 1, 8 and 9 are amended, claim 7 is canceled and claim 10 is new.

The drawings are objected to for not including descriptive text labels. Applicants submit herewith replacement sheets of Figures 1 and 2 that include descriptive text labels.

Claims 1 and 8 are objected to for minor informalities. These claims are amended to address the informalities identified in the Office Action.

Claims 1, 8 and 9 are rejected under 35 U.S.C. § 112, second paragraph for indefiniteness. This ground of rejection is respectfully traversed.

Claims 1, 8 and 9 are amended to address most of the issues identified in the Office Action. Regarding the structure that carries out the methods of claims 1 and 9, it is respectfully submitted that it is not necessary to identify the components that carry out each of the steps of these claims. Specifically, claims 1 and 9 are method claims, and not system claims, and thus are not required to include any structural recitations. Furthermore, Applicants' specification discloses two techniques for performing certain steps in the methods of claims 1 and 9, a distributed technique where these steps are performed by controllers, and a technique that employs a central controller. Thus, the method claims in

their current form cover both techniques, and it is not necessary to limit the claims to a particular one of these techniques to satisfy the definiteness requirement of 35 U.S.C. § 112, second paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1-3 and 5-9 are rejected under 35 U.S.C. § 103(a) for obviousness in view of the combination of U.S. Patent No. 5,544,054 to Kayano et al. ("Kayano") and U.S. Patent No. 7,308,499 to Chavez ("Chavez"). Claim 4 is rejected for obviousness in view of the combination of Kayano, Chavez and Official Notice. These grounds of rejection are respectfully traversed.

The combination of Kayano and Chavez does not render claim 1 obvious because the combination does not disclose or suggest:

> a software module, in a controller on which said software module is running, sending to the data bus, either cyclically or upon request, an appropriate identifier containing information indicating the software module's operating status and the identity of the controller on which the software module is running.

Kayano discloses a vehicle multi-processor control system in which a control processor can execute a control task based on a detected load. Kayano does not, however, disclose or suggest a software module sending an identifier "containing information indicating the software module's operating status and the identity of the controller on which the software module is running."

The Office Action cites column 1, lines 42-62, column 2, line 65-column 3, line 12, column 3, lines 40-47 and column 6, lines 40-47 of Kayano for the disclosure of this claim element. Column 1, lines 42-62 discusses the objects of the invention of Kayano and the methods of solving the problems; column 2, line 65-column 3, line 12 and column 3, lines 40-47 describe the use of load detecting means to detect the load states of the control means; and column 6, lines 40-47 describes smoothing loads of processors by having a processor with a lower load execute a program stored in another processor with a higher load. There is nothing in these cited sections disclosing or suggesting a software module sending an identifier "containing information indicating the software module's operating status and the identity of the controller on which the software module is running."

Chavez discloses a dynamic load balancing technique for IP traffic, but does not remedy the above-identified deficiencies of Kayano with respect to claim 1. Accordingly, the combination of Kayano and Chavez does not disclose or suggest all of the elements of claim 1, and this combination does not render claim 1 obvious.

Claims 2-6 are patentably distinguishable at least by virtue of their dependency from claim 1. Regarding the Official Notice statement, Applicants respectfully traverse the Official Notice and request that the next Office Action

include a prior art reference demonstrating that the elements of claim 4 are well known in the art.

Claim 9 recites similar elements to those discussed above with regard to claim 1, and is patentably distinguishable over the current grounds of rejection for similar reasons.

The combination of Kayano and Chavez does not render claim 8 obvious because the combination does not disclose or suggest that "the process cycle for the controllers is determined by the software modules for one of the primary tasks, the operating system and a bus protocol."

Kayano discloses the use of an interrupt that is based upon braking, brake off delay, or a 10 ms interval. Kayano does not, however, disclose that a process cycle "is determined by the software modules for one of the primary tasks, the operating system and a bus protocol." Chavez does not remedy this deficiency of Kayano. Accordingly, the combination of Kayano and Chavez does not render claim 8 obvious.

For at least those reasons set forth above, it is respectfully requested that the rejection of claims 1-9 be withdrawn.

New claim 10 depends from claim 8, and is patentably distinguishable over the current grounds of rejection at least by virtue of this dependency.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.57760US).

Respectfully submitted,

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